

REMARKS

The Examiner's request for correction of the filing date of the patent application 09/230,109 is corrected herein. Applicants appreciate the Examiner attentiveness.

The Examiner's objection to Claim 80 has been remedied by the changing of the phrase "is is obtained" to -is obtained--.

A terminal disclaimer accompanies this Amendment and Response to thereby overcome the nonstatutory double patenting rejection. Accordingly, it is believed that Claims 80-88 are now in condition for allowance.

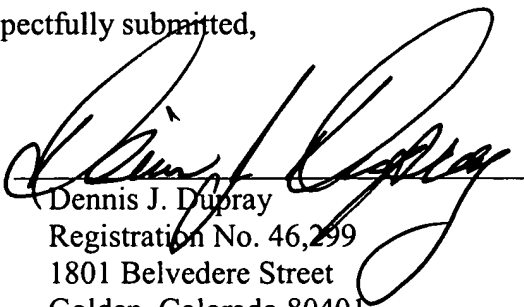
The new Claim 89 is also believed allowable over all prior art.

Accordingly, since all claims are believe in condition for allowance, it is requested that the present application be reconsidered.

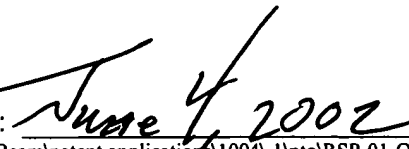
Enclosed is a check in the amount of \$97.00 of which \$42.00 is for the one new independent claim, and \$55.00 is for the accompanying Terminal Disclaimer as requested by the Examiner. Since a separate check for the fee for the two month extension is also provided herewith, no other fees are believed due with this Amendment and Response. However, if additional fees are due, the undersigned Applicant requests a phone call at 303-863-2975.

Respectfully submitted,

By:


Dennis J. Dupray
Registration No. 46,299
1801 Belvedere Street
Golden, Colorado 80401
Phone: (303) 863-2975

Date:


L:\tracBeam\patent applications\1004\1\pto\RSP-01-OA of 1-4-02.doc

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

The RELATED APPLICATIONS paragraph beginning on page 1, line 4 has been amended as follows:

The present application is a continuation of co-pending U.S. Application No. 09/230,109 filed [January 22, 1999] July 8, 1999 which is the National Stage of International Application No. PCT/US97/15933 filed September 8, 1997 (and claims the benefit thereof) which, in turn, claims the benefit of the following three applications: U.S. Provisional Application No. 60/056,603 filed August 20, 1997, U.S. Provisional Application No. 60/044,821 filed April 25, 1997; and U.S. Provisional Application No. 60/025,855 filed September 9, 1996. All the above cited references are fully incorporated by reference herein.

IN THE CLAIMS:

Claim 80 has been amended as follows:

80. A method for locating a wireless mobile station, comprising:

receiving first data related to wireless signals communicated between a particular mobile station and at least a first network of a plurality of commercial mobile service provider networks, wherein for each said network, there are a plurality of base stations
5 for at least one of transmitting and receiving wireless signals with a corresponding plurality of mobile stations registered with the network, and wherein said particular mobile station is registered with said first network for subscribing to a wireless service;

first requesting a first location estimate of the particular mobile station, wherein a first location estimator provides said first location estimate of the particular mobile
10 station when said first location estimator is supplied with first location information including data obtained using the first data, said location information capable of changing with a change in a location of the particular mobile station;

wherein when said first location estimate is one of: (a) deemed ambiguous, (b) can not be provided, (c) is not within a desired range of accuracy, and (d) has an extent
15 greater than or equal to a predetermined size, then the steps (A1) and (A2) are performed: (A1) instructing said particular mobile station to communicate with a second network of

B

the plurality of networks for supplying second data, wherein said particular mobile station is not registered with said second network for subscribing to a wireless service, and wherein said second data is obtained using wireless signals communicated between
20 the particular mobile station and the second network;
(A2) second requesting a second location estimate of said particular mobile station wherein said second location estimate is [is]obtained using additional location information obtained at least in part from the second data;
outputting at least one of the first and second estimates of the location of the
25 mobile station as an estimate of the location of the mobile station.

Claim 89 has been added.